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PATENT

Applicant:

Carl W. Anderson, et al. Examiner: Unassigned

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DNA-PK ASSAY

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Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

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## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.56 and 1.97

Sir:

In order to fulfill the requirements of candor and good faith set forth in 37 C.F.R. § 1.56, Applicant submits herewith the following Information Disclosure Statement in accordance with the provisions of 37 C.F.R. § 1.97 and § 1.98.

# CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any papers referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Maria Pacella, Office of Intellectual Property

and Industrial Partnerships

This Information Disclosure Statement is submitted under 37 CFR 1.97(b), or (within three months of filing application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last).

#### PATENT PUBLICATIONS

Burrell et al. "Kits for Detecting Amplification of Human MDM2", U.S. Patent No. 5,606,044.

### NON-PATENT PUBLICATIONS

Anderson, et al., "The Human DNA-Activated Protein Kinase, DNA-PK: Substrate Specificity", <u>Methods in Protein Structure</u>

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Finnie, et al., "DNA-Dependent Protein Kinase Activity is Absent in XRS-6 Cells: Implications for Site-Specific Recombination and DNA Double-Strand Break Repair", Proc. Natl. Acad. Sci. USA, 92: 320-324 (1995).

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Stenger, et al., "Formation of Stable p53 Homotetramers and Multiples of Tetramers", <u>Molecular Carcinogenesis</u>, <u>5</u>: 102-106 (1992).

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Casnellie, "Assay of Protein Kinases Using Peptides With Basic Residues for Phosphocellulose Binding", <u>Methods in Enzymology</u>, 200: 115-120 (1991).

Lees-Miller, et al., "The Human Double-stranded DNA-activated Protein Kinase Phosphorylates the 90-kDa Heat-shock Protein, hsp90 $\alpha$  at Two NH<sub>2</sub>-terminal Threonine Residues", The Journal of Biological Chemistry, 264: 17275-17280 (1989).

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These Patent and Non-Patent Publications are also listed on Applicant's Substitute Form PTO-1449 which is attached herewith.

Pursuant to 37 C.F.R. § 1.98(d), the documents are not enclosed. These documents were cited by or submitted to the U.S. Patent Office in the Parent Applications, Serial No. 08/132,284 filed on October 6, 1994, and Serial No. 08/398,139 filed on March 13, 1995 to which this application relates back for an earlier filing date under 35 U.S.C. § 120.

In view of the present submission, it is believed that the present application is in all respects complete, and in condition for examination and favorable consideration.

If the Examiner has any questions or comments relating to the present invention, he or she is respectfully invited to contact Applicants' attorney at the telephone number set forth below.

Respectfully submitted,

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Dated: May 4, 2001

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